SHOOTING OF MAJ. GEN. EDWIN A. WALKER

1. There is no footnote after the sentence concerning the 15 year old boy who saw two men leave the area.

2. Same after the statement that a friend of Walker gave information to the police about the two men snooping around. Also that statement is not correct. Walker gave the information to the police.

3. No footnote after statement re results of private investigation.

4. No footnote after statement that the note was in the "Book of Useful Advice."

5. The second full paragraph on page 48 assumes a lot of knowledge about Oswald's movements and about the Paines that the reader had not gotten anywhere yet, except in the first chapter narrative. A few extra words as suggested in the margin of the galley might improve things considerably. Furthermore, the first sentence needs a footnote, as does the entire next paragraph, which has not one footnote to its name.

6. In the paragraph on photographs, a footnote is needed after the first sentence. The second sentence must be changed because at present it implies that Oswald told Marina about the notebook or showed it to her when he returned the night after the attack. She stated in her testimony in July that she did not see what was in the notebook until 3 days after the attack and there is nothing in her early testimony that I know about to support the proposition now in the Report.

SHOOTING OF MAJ. GEN. EDWIN A. WALKER

1. There is no footnote after the sentence concerning the 15 year old boy who saw two men leave the area.

2. Same after the statement that a friend of Walker gave information to the police about the two men snooping around. Also that statement is not correct. Walker gave the information to the police.

3. No footnote after statement re results of private investigation.

4. No footnote after statement that the note was in the "Book of Useful Advice."

5. The second full paragraph on page 48 assumes a lot of knowledge about Oswald's movements and about the Paines that the reader had not gotten anywhere yet, except in the first chapter narrative. A few extra words as suggested in the margin of the galley might improve things considerably. Furthermore, the first sentence needs a footnote, as does the entire next paragraph, which has not one footnote to its name.

6. In the paragraph on photographs, a footnote is needed after the first sentence. The second sentence must be changed because at present it implies that Oswald told Marina about the notebook [illegible] showed it to her when he returned the night after the attack. She stated in her testimony in July that she did not see what was in the notebook until 3 days after the attack and there is nothing in her early testimony that I know about to support the proposition now in the Report.

19 What he here actually says is that the Report is based on reaggregated writing, not evidence, & that the evidence neither supports nor justifies the writing & conclusions

7. Statement that Oswald apparently destroyed the notebook should be changed in order to reflect fact that he did destroy it, and at the suggestion of his wife.

8. Second to last sentence in photographs section must be changed to indicate that Oswald did not bury his rifle in some bushes, but rather that he may have hidden it there.

9. Query usage of "ballistics" in first paragraph of "Firearms Identification" section. Same as to last paragraph thereof.

10. Under "Corroboration by Marina Oswald" we learn for the first time about a postponement of the attempt to kill Walker. There is no mention of from when, what the circumstances of the postponement were, what happened to the rifle in the meantime, etc. It should be set forth, since there is no mention of it above, as I recall.

OSWALD'S RIFLE CAPABILITY

1. The purpose of this section is to determine Oswald's ability to fire a rifle. The third word at the top of page 50 of the galleys, which is apparently meant to describe Oswald, is "marksman." A marksman is one skilled at shooting at a mark; one who shoots well. Not only do we beg the question a little, but the sentence is inexact in that the shot, which it describes, would be the same for a marksman as it would for one who was not a marksman. How about: "The assassin's shots from the easternmost window of the south side of the Texas School Book Depository were at a slow-moving target proceeding on a downgrade virtually straight away from the assassain, at a range of 177 to 266 feet."

7. Statement that Oswald apparently destroyed the notebook should be changed in order to reflect fact that he did destroy it, and at the suggestion of his wife.

8. Second to last sentence in photographs section must be changed to indicate that Oswald did not bury his rifle in some bushes, but rather that he may have hidden it there.

9. Query usage of "ballistics" in first paragraph of "Firearms Identification" section. Same as to last paragraph thereof.

10. Under "Corroboration by Marina Oswald" we learn for the first time about a postponement of the attempt to kill Walker. There is no mention of from when, what the circumstances of the postponement were, what happened to the rifle in the meantime, etc. It should be set forth, since there is no mention of it above, as I recall.

OSWALD'S RIFLE CAPABILITY

1. The purpose of this section is to determine Oswald's ability to fire a rifle. The third word at the top of page 50 of the galleys, which is apparently meant to describe Oswald, is "marksman." A marksman is one skilled at shooting at a mark; one who shoots well. Not only do we beg the question a little, but the sentence is inexact in that the shot, which it describes, would be the same for a marksman as it would for one who was not a marksman. How about: "The assassin's shots from the easternmost window of the south side of the Texas School Book Depository were at a slow-moving target proceeding on a downgrade virtually straight away from the assassin, at a range of 177 to 266 feet."

20-3 How can someone conclude that the theft was easy without knowing the available time?

20-4 Here he puts his finger on a major exculpatory factor that can have been only to make a record of future self-justification because he cannot have been serious about ~~this~~ this outcomes & believe, as he does, in Oswald's guilt.

2. The last sentence in the first paragraph on galley page 50 should indicate that the slope of Elm street is downward.

3. The section on the nature of the shots deals basically with the range and the effect of a telescopic sight. Several experts conclude that the shots were easy. There is, however, no consideration given here to the time allowed for the shots. I do not see how someone can conclude that a shot is easy or hard unless he knows something about how long the firer has to shoot, i.e., how much time is allotted for the shots.

4. On nature of the shots--Frazier testified that one would have no difficulty in hitting a target with a telescopic sight, since all you have to do is put the crosshairs on the target. On page 51 of the galleys, however, he testified that shots fired by FBI agents with the assassination weapon were "a few inches high and to the right of the target...because of a defect in the scope." Apparently no one knows when that defect appeared, or if it was in the scope at the time of the assassination. If it was, and in the absence of any evidence to the contrary one may assume that it was, putting the crosshairs on the target would clearly have resulted in a miss, or it very likely would, in any event. I have raised this question before. There is a great deal of testimony in the record that a telescopic sight is a sensitive proposition. You can't leave a rifle and scope laying around in a garage underfoot for almost three months, just having brought it back from New Orleans in the back of a station wagon, and expect to hit anything with it, unless you take the trouble to fire it and sight the scope in. This would have been a problem that should have been dealt with in any event, and now that it turns out that there actually was a defect in the scope,

2. The last sentence in the first paragraph on galley page 50 should indicate that the slope of Elm street is downward.

3. The section on the nature of the shots deals basically with the range and the effect of a telescopic sight. Several experts conclude that the shots were easy. There is, however, no consideration given here to the time allowed for the shots. I do not see how someone can conclude that a shot is easy or hard unless he knows something about how long the firer has to shoot, i.e., how much time is allotted for the shots.

4. On nature of the shots--Frazier testified that one would have no difficulty in hitting a target with a telescopic sight, since all you have to do is put the crosshairs on the target. On page 51 of the galleys, however, he testified that shots fired by FBI agents with the assassination weapon were "a few inches high and to the right of the target...because of a defect in the scope." Apparently no one knows when that defect appeared, or if it was in the scope at the time of the assassination. If it was, and in the absence of any evidence to the contrary one may assume that it was, putting the crosshairs on the target would clearly have resulted in a miss, or it very likely would, in any event. I have raised this question before. There is a great deal of testimony in the record that a telescopic sight is a sensitive proposition. You can't leave a rifle and scope laying around in a garage underfoot for almost three months, just having brought it back from New Orleans in the back of a station wagon, and expect to hit anything with it, unless you take the trouble to fire it and sight the scope in. This would have been a problem that should have been dealt with in any event, and now that it turns out that there actually was a defect in the scope,

20

2 — again shows the Kiev Oswald has being victimized or framed in the writing of the Report — when he has already said the writing is "dishonest."

This is true of all his comment here. It is true, as with pretending slight use of a shotgun in the USSR is proof of rifle skill, much later, in the USA

it is perfectly clear that the question must be considered. The present draft leaves the Commission open to severe criticism. Furthermore, to the extent that it leaves testimony suggesting that the shots might not have been so easy out of the discussion, thereby giving only a part of the story, it is simply dishonest.

5. Why do we have a statement concerning the fact that Oswald's Marine records show that he was familiar with the Browning Automatic Rifle, .45 caliber pistol and 12 guage riot gun? That is completely irrelevant to the question of his ability to fire a rifle, unless there is evidence that the same skills are involved. It is, furthermore, prejudicial to some extent.

6. Under the heading "Oswald's Rifle Practice Outside the Marines" we have a statement concerning his hunting activities in Russia. It says that he joined a hunting club, obtained a license and went hunting about six times. It does not say what kind of a weapon he used. While I am not completely familiar with the record on this point, I do know for a fact that there is some indication that he used a shotgun. Under what theory do we include activities concerning a shotgun under a heading relating to rifle practice, and then presume not to advise the reader of the fact?

7. The statements concerning Oswald's practice with the assassination weapon are misleading. They tend to give the impression that he did more practicing than the record suggests that he did. My recollection is that there is only one specific time when he might have practiced. We should be more precise in this area, because the Commission is going to have its work in this area examined very closely.

it is perfectly clear that the question must be considered. The present draft leaves the Commission open to severe criticism. Furthermore, to the extent that it leaves testimony suggesting that the shots might not have been so easy out of the discussion, thereby giving only a part of the story, it is simply dishonest.

5. Why do we have a statement concerning the fact that Oswald's Marine records show that he was familiar with the Browning Automatic Rifle, .45 caliber pistol and 12 guage riot gun? That is completely irrelevant to the question of his ability to fire a rifle, unless there is evidence that the same skills are involved. It is, furthermore, prejudicial to some extent.

6. Under the heading "Oswald's Rifle Practice Outside the Marines" we have a statement concerning his hunting activities in Russia. It says that he joined a hunting club, obtained a license and went hunting about six times. It does not say what kind of a weapon he used. While I am not completely familiar with the record on this point, I do know for a fact that there is some indication that he used a shotgun. Under what theory do we include activities concerning a shotgun under a heading relating to rifle practice, and then presume not to advise the reader of the fact?

7. The statements concerning Oswald's practice with the assassination weapon are misleading. They tend to give the impression that he did more practicing than the record suggests that he did. My recollection is that there is only one specific time when he might have practiced. We should be more precise in this area, because the Commission is going to have its work in this area examined very closely.

21.

8. On the top of galley page 51 we have that statement about Oswald sighting the teleoscopic sight at night on the porch in New Orleans. I think the support for that proposition is thin indeed. Marina Oswald first testified that she did not know what he was doing out there and then she was clearly led into the only answer that gives any support to this proposition.

9. I think the level of reaching that is going on in this whole discussion of rifle capability is nicely shown by the fact that under the heading of rifle practice outside the Marine Corps appears the damning statement that "Oswald showed an interest in rifles by discussing that subject with others (in fact only one person as I remember it) and reading gun magazines."

10. I do not think the record will support the statement that Oswald did not leave his Beckley Avenue roominghouse on one of the weekends that he was supposedly seen at the Sports Drome Rifle Range.

11. There is a misstatement in the third paragraph under Rapid Fire Tests when it says "Four of the firers missed the second shot." The preceding paragraph states that there were only three firers.

12. There are no footnotes whatsoever in the fifth paragraph under rapid fire tests and some rather important statements are made which require some support from someplace.

13. A minor point as to the next paragraph--bullets are better said to strike rather than land.

8. On the top of galley page 51 we have that statement about Oswald sighting the telescopic sight at night on the porch in New Orleans. I think the support for that proposition is thin indeed. Marina Oswald first testified that she did not know what he was doing out there and then she was clearly led into the only answer that gives any support to this proposition.

9. I think the level of reaching that is going on in this whole discussion of rifle capability is nicely shown by the fact that under the heading of rifle practice outside the Marine Corps appears the damning statement that "Oswald showed an interest in rifles by discussing that subject with others (in fact only one person as I remember it) and reading gun magazines."

10. I do not think the record will support the statement that Oswald did not leave his Beckley Avenue roominghouse on one of the weekends that he was supposedly seen at the Sports Drome Rifle Range.

11. There is a misstatement in the third paragraph under Rapid Fire Tests when it says "Four of the firers missed the second shot." The preceding paragraph states that there were only three firers.

12. There are no footnotes whatsoever in the fifth paragraph under rapid fire tests and some rather important statements are made which require some support from someplace.

13. A minor point as to the next paragraph—bullets are better said to strike rather than land.

22

23- What he here says is that
there had to have been a conspiracy
& that O could not have done what
is alleged to have

14. As I read through the section on rifle capability it appears that 15 different sets of three shots were fired by supposedly expert riflemen of the FBI and other places. According to my calculations those 15 sets of shots took a total of 93.8 seconds to be fired. The average of all 15 is a little over 6.2 seconds. Assuming that time is calculated commencing with the firing of the first shot, that means the average time it took to fire the two remaining shots was about 6.2 seconds. That comes to about 3.1 seconds for each shot, not counting the time consumed by the actual firing, which would not be very much. I recall that Chapter three said that the minimum time that had to elapse between shots was 2.25 seconds, which is pretty close to the one set of fast shots fired by Frazier of the FBI.

The conclusion indicates that Oswald had the capability to fire 3 shots with 2 hits in from 4.8 to 5.6 seconds. Of the fifteen sets of three shots described above, only <u>three</u> were fired within 4.8 seconds. A total of five sets, including the three just mentioned, were fired within a total of 5.6 seconds. The conclusion at its most extreme states that Oswald could fire faster than the Commission experts fired in 12 of their 15 tries and that in any event he could fire faster than the experts did in 10 of their 15 tries. If we are going to set forth material such as this, I think we should set forth some information on how much training and how much shooting the experts had and did as a whole. The readers could then have something on which to base their judgments concerning the relative abilities of the apparently slow firing experts used by the Commission and the ability of Lee Harvey Oswald.

14. As I read through the section on rifle capability it appears that 15 different sets of three shots were fired by supposedly expert riflemen of the FBI and other places. According to my calculations those 15 sets of shots took a total of 93.8 seconds to be fired. The average of all 15 is a little over 6.2 seconds. Assuming that time is calculated commencing with the firing of the first shot, that means the average time it took to fire the two remaining shots was about 6.2 seconds. That comes to about 3.1 seconds for each shot, not counting the time consumed by the actual firing, which would not be very much. I recall that Chapter three said that the minimum time that had to elapse between shots was 2.25 seconds, which is pretty close to the one set of fast shots fired by Frazier of the FBI.

The conclusion indicates that Oswald had the capability to fire 3 shots with 2 hits in from 4.8 to 5.6 seconds. Of the fifteen sets of three shots described above, only <u>three</u> were fired within 4.8 seconds. A total of five sets, including the three just mentioned, were fired within a total of 5.6 seconds. The conclusion at its most extreme states that Oswald could fire faster than the Commission experts fired in 12 of their 15 tries and that in any event he could fire faster than the experts did in 10 of their 15 tries. If we are going to set forth material such as this, I think we should set forth some information on how much training and how much shooting the experts had and did as a whole. The readers could then have something on which to base their judgments concerning the relative abilities of the apparently slow firing experts used by the Commission and the ability of Lee Harvey Oswald.

15. The problems raised by the above analyses should be met at some point in the text of the Report. The figure of 2.25 as a minimum firing time for each shot is used throughout chapter 3. The present discussion of rifle capability shows that expert riflemen could not fire the assassination weapon that fast. Only one of the experts managed to do so, and his shots, like those of the other FBI experts, were high and to the right of the target. The fact is that most of the experts were much more proficient with a rifle than Oswald could ever be expected to be, and the record indicates that fact, according to my recollection of the response of one of the experts to a question by Mr. McCloy asking for a comparison of an NRA master marksman to a Marine Corps sharpshooter.

16. The present section on rifle capability fails to set forth material in the record tending to indicate that Oswald was not a good shot and that he was not interested in his rifle while in the Marine Corps. It does not set forth material indicating that a telescopic sight must be tested and sighted in after a period of none-use before it can be expected to be accurate. That problem is emphasized by the fact that the FBI actually found that there was a defect in the scope which caused the rifle to fire high and to the right. In spite of the above the present section takes only part of the material in the record to show that Oswald was a good shot and that he was interested in rifles. I submit that the testimony of Delgado that Oswald was not interested in his rifle while in the Marines is at least as probative as Alba's testimony that Oswald came into his garage to read rifle (and hunting) magazines.

To put it bluntly that sort of selection from the record could seriously affect the integrity and credibility of the entire Report.

15. The problems raised by the above analyses should be met at some point in the text of the Report. The figure of 2.25 as a minimum firing time for each shot is used throughout chapter 3. The present discussion of rifle capability shows that expert riflemen could not fire the assassination weapon that fast. Only one of the experts managed to do so, and his shots, like those of the other FBI experts, were high and to the right of the target. The fact is that most of the experts were much more proficient with a rifle than Oswald could ever be expected to be, and the record indicates that fact, according to my recollection of the response of one of the experts to a question by Mr. McCloy asking for a comparison of an NRA master marksman to a Marine Corps sharpshooter.

16. The present section on rifle capability fails to set forth material in the record tending to indicate that Oswald was not a good shot and that he was not interested in his rifle while in the Marine Corps. It does not set forth material indicating that a telescopic sight must be tested and sighted in after a period of none-use before it can be expected to be accurate. That problem is emphasized by the fact that the FBI actually found that there was a defect in the scope which caused the rifle to fire high and to the right. In spite of the above the present section takes only part of the material in the record to show that Oswald was a good shot and that he was interested in rifles. I submit that the testimony of Delgado that Oswald was not interested in his rifle while in the Marines is at least as probative as Alba's testimony that Oswald came into his garage to read rifle (and hunting) magazines.

To put it bluntly that sort of selection from the record could seriously affect the integrity and credibility of the entire Report.

17. It seems to me that the most honest and the most sensible thing to do given the present state of the record on Oswald's rifle capability would be to write a very short section indicating that there is testimony on both sides of several issues. The Commission could then conclude that the best evidence that Oswald could fire his rifle as fast as he did and hit the target is the fact that he did so. It may have been pure luck. It probably was to a very great extent. But it happened. He would have had to have been lucky to hit as he did if he had only 4.8 seconds to fire the shots. Why don't we admit that instead of reaching and using only part of the record to support the propositions presently set forth in the galleys. These conclusions will never be accepted by critical persons anyway.

GENERAL COMMENT

1. The above was written without having the footnotes to the chapter, a considerable disadvantage when one would like to check the accuracy and precision of statements made in the text.

2. The placement of footnotes is not consistent within the chapter, nor with the general rule that there are to be footnotes after all direct quotes. Many times there are no footnotes where it appears to me that there should be.

3. Form as to omitted material should be checked. The form of citations to the appendix is not consistent with Chapter 3 or internally.

4. I forgot to mention that some question might be raised when the public discovers that there was only one eyewitness to the Tippit killing.

17. It seems to me that the most honest and the most sensible thing to do given the present state of the record on Oswald's rifle capability would be to write a very short section indicating that there is testimony on both sides of several issues. The Commission could then conclude that the best evidence that Oswald could fire his rifle as fast as he did and hit the target is the fact that he did so. It may have been pure luck. It probably was to a very great extent. But it happened. He would have had to have been lucky to hit as he did if he had only 4.8 seconds to fire the shots. Why don't we admit that instead of reaching and using only part of the record to support the propositions presently set forth in the galleys. These conclusions will never be accepted by critical persons anyway.

GENERAL COMMENT

1. The above was written without having the footnotes to the chapter, a considerable disadvantage when one would like to check the accuracy and precision of statements made in the text.

2. The placement of footnotes is not consistent within the chapter, nor with the general rule that there are to be footnotes after all direct quotes. Many times there are no footnotes where it appears that there should be.

3. Form as to omitted material should be checked. The form of citations to the appendix is not consistent with Chapter 3 or internally.

4. I forgot to mention that some question might be raised when the public discovers that there was only <u>one</u> eyewitness to the Tippit killing.

i.e., one person who saw Oswald kill him. All the rest only saw subsequent events. Mrs. Markham is nicely buried there, but I predict not for long.

i.e., one person who saw Oswald kill him. All the rest only saw subsequent events. Mrs. Markham is nicely buried there, but I predict not for long.